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February 18, 2022

**VIA ECF**

Application GRANTED. The Clerk of Court is directed to terminate ECF No. 11.

Hon. Jesse M. Furman  
United States District Court  
Southern District of New York  
Thurgood Marshall  
United States Courthouse  
40 Foley Square  
Courtroom: 1105  
New York, NY 10007225

SO ORDERED.

A handwritten signature in black ink, appearing to read 'Jesse M. Furman', written over the date 'February 18, 2022'.

February 18, 2022

**Re: *Contreras v. Smoky Mountain Sportservice, Inc.***  
**Civil Action No.: 1:21-cv-09446-JMF**

Dear Judge Furman:

This office represents Defendant Smoky Mountain Sportservice, Inc. ("Defendant") in the above-referenced action. We write, with Plaintiff's consent, to respectfully request (1) a thirty (30) day extension of time for Defendant to respond to the Complaint, up to and including March 25, 2022, and (2) a thirty (30) day extension of the parties' deadline to submit a joint status letter to the Court, up to and including March 25, 2022. This letter is the second request for an extension of these deadlines.

By way of background, Plaintiff commenced this action on November 15, 2021. (ECF No. 1.) On November 23, 2021, Defendant waived service of the Complaint pursuant to Fed. R. Civ. P. 4. (ECF No. 6.) On January 20, 2022, Defendant requested an extension of the responsive pleading deadline and the parties' deadline to submit a joint status letter to the Court as required by the Court's Order dated November 16, 2021. (ECF No. 9.) The Court granted Defendant's application on January 21, 2022. (ECF No. 10.) Pursuant to the Court's Order, the current deadline for Defendant to respond to the Complaint and for the parties to submit a joint status letter to the Court is February 23, 2022. (ECF No. 10.)

Defendant is requesting an extension of the foregoing deadlines to provide the parties with additional time to discuss a potential resolution of this case prior to expending resources on litigation activities. The parties have exchanged multiple settlement proposals, and Defendant wishes to continue to focus its resources on these discussions in the near term.



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This office has communicated with counsel for Plaintiff, and Plaintiff consents to this request. This application is being made in good faith and not to cause undue delay, and the requested extensions will not affect any other scheduled dates as there are no other deadlines or conferences scheduled in this action.

We thank the Court in advance for its time and attention to this matter.

Respectfully submitted,

SEYFARTH SHAW LLP

/s/ John W. Egan

John W. Egan

cc: All counsel of record